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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,957	02/07/2002	Stephen W. Edge	01P24279US01	3682

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Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

WIDHALM, ANGELA M

ART UNIT	PAPER NUMBER
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2152

MAIL DATE	DELIVERY MODE
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08/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/071,957

Applicant(s)

EDGE, STEPHEN W.

Examiner

Angela Widhalm

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is a final office action in response to remarks filed on 12 June 2007. Claims 1-28 were canceled. Claims 29-31 were added. Claims 29-31 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 29-31 have been considered but are moot in view of the new ground(s) of rejection.

Claims Summary

3. The claimed invention relates to a method, home privacy server, and medium for storing instructions (collectively referred to as "system") for sending a location request, communicating with a home location privacy server, determining the requested location, and transmitting a response to the location request in accordance with privacy information. In the same field of endeavor, the applied references teach the same.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDowell (U.S. Patent Publication 2002/0035605) in view of Douglas (U.S. Patent 5,857,188).

6. Regarding claims 29-31, McDowell disclosed a method for providing location services, comprising:

generating a request, at a location services client, for the location of a subscriber (per claim 29); (see *McDowell paragraphs 83-84: a subscriber or a merchant requests the location of a subscriber device*)

receiving the request for the location of the subscriber at a gateway; generating a request, at the gateway, for the network address of the subscriber (per claim 29); (see *McDowell paragraph 83: When a subscriber's location is requested, a WAP Gateway 136 queries a Location Proxy Server 114 for the information*)

sending a request for the location of the subscriber to the home location privacy server (per claims 30-31) from the gateway (per claim 29); receiving the request for the location of the subscriber at the home location privacy server (per claims 29-31); in response to the request for the location of the subscriber received at the home location privacy server, determining whether a response to the request for the location has been authorized for the subscriber (per claims 29-31); (see *McDowell paragraph 83, table 5: The Location Proxy Server 114 first determines whether the WAP Gateway 136 and the requestor are allowed to receive the subscriber's location information by communicating with a privacy database 119*)

where a response to the request for the location has been authorized for the subscriber, sending a request for the location of the subscriber from the home location privacy server to a network server currently associated with the subscriber (per claims 29-31); receiving the location of the subscriber, from the network server currently associated with the subscriber, at the home location privacy server; and (per claim 29) conveying the requested location from the home location privacy server to the location services client (per claim 29) (*see McDowell paragraph 83: If the subscriber gave permission for location information to be provided in response to a request, the location information is provided*).

McDowell did not explicitly disclose an intermediary server, i.e. home database server, receiving the request first (*i.e. receiving the request for the network address of the subscriber, at a home database server associated with the subscriber (per claims 29-31)*), the home database server determining which server, i.e. home location privacy server, is associated with the request and responding to the request by returning the address of this server to the gateway (*i.e. in response to the request for the network address, sending a response comprising the network address of a home location privacy server, from the home database server associated with the subscriber (per claims 30-31) to the gateway (per claim 29)*) so the request may be resent to this server (*i.e. forwarding the request in response to receiving the network address of the home location privacy server (per claims 29-31)*).

However in a related art, Douglas disclosed a DBQM server 48, i.e. home database server, receives a request from a DBQM ODBC driver 42 in the client (see col. 4 lines 57-63, col. 5 lines 20-23) and in response to the request, sending the database id associated with the client request (see col. 5 lines 4-6, lines 20-23). Upon receiving this id, the request is sent to the specified database to be processed (see col. 5 lines 6-7). It would have been obvious to one of ordinary skill in the art at the time of invention that McDowell's privacy database could be distributed among several databases and incorporating looking up the server associated with the request before sending the request as described by Douglas would be beneficial in reducing the time required to find requested information in a distributed storage system.

Conclusion

7. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure

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relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

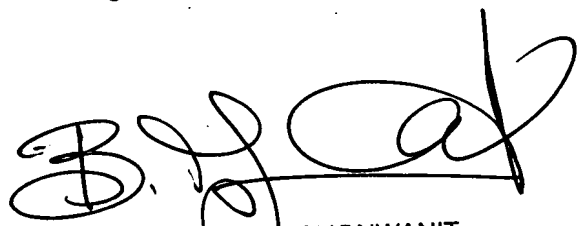
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Widhalm whose telephone number is (571) 272-1035. The examiner can normally be reached M-F, 9:00 am - 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Angela Widhalm
Examiner
Art Unit 2152
29 August 2007



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER
8/30/07